



Docket No. 8733.753.00  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Sung Hoe YOON et al.

Customer No. 30827

Application No. 10/026,473

Confirmation No. 7768

Filed: December 27, 2001

Art Unit: 2871

For: REFLECTIVE CHOLESTERIC LIQUID  
CRYSTAL DISPLAY DEVICE AND  
MANUFACTURING METHOD FOR THE  
SAME

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Examiner: Jeanne A. Di Grazio

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

The Applicants request a review of the final Office Action dated August 23, 2005 and the Advisory Action dated December 6, 2005 for the reasons discussed below.

In the Office Action, claims 1, 3-8, and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants Related Art ("ARA") in view of U.S. Patent No. 5,682,212 to Maurer ("Maurer").

Arguments to overcome this rejection are presented on pages 6-8 of the current Response filed November 22, 2005 and on pages 2-5 of the previous Response filed June 9, 2005. Specifically, Applicants requested in the current response and also in the previous response (p. 4) that the Examiner support a statement that color filter of Maurer produces "uniform luminance." In the Advisory Action, the Examiner again ignores this request for clarification of this assertion.

Further, in the Advisory action the Examiner only addresses one of the arguments put forth by Applicants: that is that Maurer is non-analogous art. In response to this the Examiner cites the following portions of Maurer: column 4, lines 60-67; column 5, lines 1-5; Figure 5 elements 13a-13c; and column 6, lines 1-20.

Column 4, line 60 to column 5, line 5 discusses how planar alignment of the cholesteric materials can use techniques that have been developed and used for creating alignment layers in liquid crystal displays. So this passage does not disclose using the lens disclosed in Maurer in a liquid crystal display as implied by the Examiner's combination of Maurer and the ARA. Figure 5 shows a projector for displaying an image. This projector uses the CLC elements in a lens and beam splitting element. The three LCD elements 13a-13c are used to each modulate the separated red, green, or blue light. So while the projector of Fig. 5 uses LCD elements, they are only one part of the overall projector. The CLC elements are completely separate from the LCD elements. Also, the structure of the flat panel LCD display of the present invention is completely different from a display implemented using the projector of Maurer. Therefore, this combined with the previously stated arguments show that one of skill in the art would not look to combine the teaching of Maurer with the teaching of the ARA.

In light of the remarks noted above and the position taken by the Examiner in the Advisory Action, the Applicants submit that the pending claims are patentable over the prior art cited in the August 23, 2005 final Office Action. Accordingly, the Applicants respectfully request that the PTO issue a Notice of Allowance or a new Office Action.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: December 22, 2005

Respectfully submitted,

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